

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KEENAN G. WILKINS,
Petitioner,

No. C 11-5626 SI (pr)

ORDER

v.

GREGORY J. AHERN, Sheriff,
Respondent.


Petitioner's "request for correction to record" is DENIED. (Docket # 15.) The court has looked at the petition in this action for the third time and once again concludes that it is a challenge to the 1999 conviction. As the court previously explained, the petition filed in this action challenged the 1999 conviction, as evidenced by petitioner's clear statements that he was challenging the 1999 conviction and sentence and that he was not in custody thereon. Docket # 1, p. 2. His mention of excessive bail was in the context of describing the consequences of the allegedly infirm 1999 conviction. *See id.* at 6 ("Petitioner is the subject of an unreasonable and excessive bail *as the result of a void, unauthorized, unlawful conviction*"). That also was the context in which he discussed bail in his petition in the California Supreme Court to which he directed the reader of his federal petition for the "complete facts." *Id.* at 9; *see* Docket # 1-1, pp. 11 and 20.

A certificate of appealability will not issue. This is not a case in which "jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural [rulings]" in the Order Of Dismissal, in the April 5, 2012 order, or in this order.

1 *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); 28 U.S.C. § 2253(c). The denial of the certificate
2 of appealability is without prejudice to petitioner seeking a certificate from the United States
3 Court of Appeals for the Ninth Circuit.

4 IT IS SO ORDERED.

5 DATED: June 20, 2012



SUSAN ILLSTON
United States District Judge